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dba Tulare Regional Medical Center

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

CASE NO. 17-13797

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

DC No.: WW-49

Chapter 9

Debtor.

Date: November 15, 2018

Time: 9:30 a.m.

Tax ID #: 94-6002897
Address: 869 N. Cherry Street
Tulare, CA 93274

Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13

Judge: Honorable René Lastreto II

**MOTION FOR AUTHORIZATION TO REJECT EXECUTORY CONTRACT
(Leaf Capital Funding, LLC)**

TO THE HONORABLE RENÉ LASTRETO II, UNITED STATES BANKRUPTCY
JUDGE:

Tulare Local Healthcare District, dba Tulare Regional Medical Center, a
California Health Care District, the Debtor ("Debtor" or "District"), hereby moves this
Court pursuant to 11 U.S.C. §§ 365 and 901, and Bankruptcy Rules 6006 and 9014, for

1 an Order Rejecting Executory Contract as described below. In support of its Motion, the
2 Debtor represents as follows:

3 1. This Court has jurisdiction over this Motion pursuant to 28 U.S. C. §§ 157
4 and 1334. Venue is proper before this Court pursuant to 28 U.S. C. §§ 1408 and 1409.
5 This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2). The statutory
6 predicates for the relief sought in this Motion are §§ 105, 365, 901 and title 11 of the
7 United States Code (the "Bankruptcy Code"), as complemented by Rules 6006 and
8 9014 of the Federal Rules of Bankruptcy Procedure.

9 2. This case was filed as a Chapter 9 case on September 30, 2017 ("Petition
10 Date").

11 3. The Debtor is a California healthcare district located in Western Tulare
12 County.

13 4. The Debtor is in the business of owning a hospital and other healthcare
14 facilities .

15 5. On May 24, 2016 ("Effective Date") the Debtor entered into a certain office
16 equipment lease agreement ("Lease Agreement") with Leaf Capital Funding, LLC. A
17 true and correct copy of the Lease Agreement is attached to the Declaration of Sanford
18 Haskins as Exhibit "A", filed contemporaneously herewith.

19 6. The subject matter of the Lease Agreement is a Lanier MP2554 Copier
20 System. The Lease Agreement calls for 60 consecutive monthly payments beginning
21 on the Effective Date with an option to purchase for fair market value, plus applicable
22 taxes, at the end of the lease period.

23 7. The Debtor has analyzed the Lease Agreement and determined in its
24 sound business judgment, and as declared by Sanford Haskins, Chief Administrative
25 Officer, that the Lease Agreement should be rejected.

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1 WHEREFORE, the Debtor respectfully requests entry of an Order (a) authorizing
2 the Debtor to reject the Lease Agreement; (b) fixing the date by which any claim shall
3 be filed; and (c) granting Debtor such other and further relief as this Court may deem
4 just and proper.

5 Dated: October 26, 2018

WALTER WILHELM LAW GROUP,
a Professional Corporation

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8 By: 
9 Danielle J. Bethel, Attorneys for Debtor,
10 Tulare Local Healthcare District, dba
11 Tulare Regional Medical Center
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